

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FANTASIA TRADING LLC,
Plaintiff,

v.

SLICE ENGINEERING LLC,
Defendant.

CASE NO. C23-1436-KKE

ORDER GRANTING STIPULATED
MOTION AND SCHEDULING ORDER

This matter comes before the Court on the parties' stipulated motion for a case schedule. Dkt. No. 28. After a scheduling conference, the parties submitted a proposed case schedule for the Court's review. The Court agrees with the parties' proposed schedule and ORDERS the following dates shall apply to this case:

EVENT	DATE
Status Conference	March 21 at 2:30 p.m. by video conference
Disclosure of Asserted Claims	April 5
Non-infringement and Invalidity Contentions	May 6
Proposed Terms for Construction	May 27
Preliminary Claim Construction	June 26
Joint Claim Construction	August 12
Construction Expert Disclosures	August 12
Completion of Claim Construction Discovery	October 1
Opening Claim Construction Brief	October 7

Responsive Claim Construction Brief	October 22
Claim Construction Hearing	To be set by further Court order

Subsequent deadlines will be set following the entry of the Claim Construction order.

All other dates are specified in the Local Civil Rules. The dates set forth in this order are firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If the trial date assigned to this matter creates an irreconcilable conflict, counsel must notify Diyana Staples, Courtroom Deputy, at Diyana_Staples@wawd.uscourts.gov in writing within ten (10) days of the date of this Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

CHAMBERS PROCEDURES

All counsel and unrepresented parties must review and abide by the applicable Local Rules, Electronic Filing Procedures for Civil and Criminal Cases, court forms, instruction sheets, and General Orders, which can be found on the Court's website at www.wawd.uscourts.gov. Failure to follow the Local Rules and General Orders may result in sanctions.

A. *Communications With Chambers*

Parties should direct initial inquiries they have to courtroom deputy Diyana Staples at Diyana_Staples@wawd.uscourts.gov. Ex parte communications with chambers involving any matter other than checking on a decision on a motion under LCR 7(b)(5) or settlement are strongly discouraged. For any other types of inquiries, all parties must be copied on the email when

1 communicating with the courtroom deputy.

2 B. *Courtesy Copies*

3 Courtesy copies are required for pleadings that in the aggregate (*i.e.*, the brief plus any
4 declarations or exhibits) are longer than 50 pages, trial exhibits, or upon Court request. If a party
5 believes that courtesy copies may be helpful, such as for complex graphs or images best viewed in
6 color, the party may submit a courtesy copy to chambers for the Court's ease of reference. The
7 courtesy copy must be the version of the document with the header generated by CM/ECF, as this
8 header includes important information (*i.e.*, case number, document number, page number, date
9 filed, etc.). Courtesy copies shall be printed double-sided. Courtesy copies should be three-hole
10 punched, tabbed, and placed in a binder or otherwise bound.

11 C. *Cross-Motions*

12 The Court encourages parties filing cross-motions to agree to an alternate briefing schedule
13 allowing for four briefs (one cross-motion, second cross-motion/opposition, opposition/reply, and
14 reply) rather than a full six briefs (motion, opposition, and reply for each cross-motion). If the
15 parties can reach an agreement on such a schedule and any necessary adjustments to the page/word
16 limits, they shall submit a stipulated motion and proposed order for the Court's approval.

17 D. *In Camera Review*

18 If the Court orders a party to submit documents for *in camera* review, the party shall email
19 an electronic copy of the documents to courtroom deputy Diyana Staples at
20 Diyana_Staples@wawd.uscourts.gov. The party shall also deliver a physical copy of the
21 documents to chambers, clearly marked for *in camera* review to avoid inadvertent filing on the
22 docket.

23 E. *Stipulated Extensions of Deadlines*

24 Please note the Court requires approximately 120 days between the deadline for filing

dispositive motions and the trial date. Stipulated motions proposing a case schedule that does not comply with this requirement will be denied.

PROCEDURE FOR DISCOVERY DISPUTES

As required by LCR 37(a), all discovery matters are to be resolved by agreement if possible. If agreement is not possible, prior to the filing of any discovery motions, the Court directs the parties to request a conference with the Court. *See* Fed. R. Civ. P. 16(b)(3)(B)(v). The movant must submit a joint statement to the Court briefly identifying the issue(s) in dispute. The joint statement shall be no more than three pages and shall be filed via CM/ECF. Thereafter, the movant should contact Diyana Staples at Diyana_Staples@wawd.uscourts.gov to schedule a conference.

EXHIBITS

Counsel are directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as detailed below. The parties must deliver two copies of their respective trial exhibits to Diyana Staples, Courtroom Deputy, seven days before the trial date. Each exhibit shall be clearly marked. The Court hereby alters the LCR 16.1 procedure for numbering exhibits: Plaintiff(s)' exhibits shall be numbered consecutively beginning with 1; Defendant(s)' exhibits shall be numbered consecutively beginning with 500. Duplicate documents shall not be listed twice. Once a party has identified an exhibit in the pretrial order, it may be used by any party. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

In addition, no later than seven days before the trial date, the parties should send an electronic copy of all exhibits in .PDF format with Optical Character Recognition ("OCR") searchable text to Diyana Staples, Courtroom Deputy, at Diyana_Staples@wawd.uscourts.gov. The parties should notify the court of any physical objects or files that cannot be transmitted electronically. Exhibits must be marked as described above, and the following protocols also apply: (1) Electronic exhibits must be transmitted individually (i.e., one exhibit per file), but

exhibits may have multiple pages; (2) Exhibit file names should match the descriptions listed on the joint exhibit list as closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1 – Accident Scene Photo; Ex. 501– Email dated 4–03–23.

PRIVACY

Pursuant to LCR 5.2(a), parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the Court or used as exhibits in any hearing or at trial, unless otherwise ordered by the Court:

- Dates of Birth – redact to the year of birth, unless deceased.
- Names of Minor Children – redact to the initials, unless deceased or currently over the age of 18.
- Social Security or Taxpayer Identification Numbers – redact in their entirety.
- Financial Accounting Information – redact to the last four digits.
- Passport Numbers and Driver License Numbers – redact in their entirety.

Parties in social security appeals and immigration cases shall comply with LCR 5.2(c).

SETTLEMENT

If this case settles, counsel shall notify Diyana Staples via email at Diyana_Staples@wawd.uscourts.gov as soon as possible. Pursuant to LCR 11(b), an attorney who fails to give the courtroom deputy prompt notice of settlement may be subject to sanctions.

IT IS SO ORDERED:

Dated this 16th day of February, 2024.



Kymerly K. Evanson
United States District Judge